



THE REFUGEE & MUSLIM BAN 2.0 & DACA UPDATES

3 / 9 / 17

AGENDA

Welcome – Shiu-Ming Cheer, NILC (2 min)

Muslim & Refugee Ban Executive Order 2.0

- Overview of EO – Avidah Moussavian, NILC (7 min)
- Community & Advocacy Responses – Elica Vafaie, Asians Americans Advancing Justice-Asian Law Caucus (7 min)
- Litigation challenging Muslim Ban – Justin Cox, NILC (5 min)

Immigration enforcement

- Overview & arrests of DACA recipients – Emilio Vicente, United We Dream (7 min)
- DACA lawsuit – Justin Cox, NILC (5 min)

Public Charge – Matt Lopas, NILC (7 min)

Q&A (20 min)

OVERVIEW OF MUSLIM & REFUGEE BAN EXECUTIVE ORDER 2.0

WHAT'S DIFFERENT THIS TIME?

- ❖ **Phase-in period and goes into effect March 16, 2017**
- ❖ **Removes Iraq from the list of banned countries**
- ❖ **Exempts specific categories, including:**
 - ❖ Lawful permanent residents (LPRs, or green card holders)
 - ❖ Dual nationals with passports from non-banned countries
 - ❖ Valid visa holders on January 27, 2017 or March 16, 2017
- ❖ **Case-by-case waivers if:** undue hardship; no national security threat; *and* in the “national interest”
- ❖ **Syrian refugees are subject to an indefinite ban**
- ❖ **Removes preferential treatment to religious minorities**

WHAT'S THE SAME?

- ❖ **90 day ban on visa issuance and U.S. entry to nationals from Muslim-majority countries (*six countries*)**
 - ❖ Iran, Libya, Somalia, Sudan, Syria, and Yemen
- ❖ **120 day suspension of Refugee Admissions Program**
- ❖ **Slashes FY 2017 refugee admissions from 110k to 50k**
- ❖ **Suspends visa interview waiver program, requiring in-person interviews for most non-immigrant visa applicants**
- ❖ **Same discriminatory intent: 2.0 version of refugee and Muslim ban is still a refugee and Muslim ban**

COMMUNITY & ADVOCACY RESPONSES TO MUSLIM & REFUGEE BAN 2.0

RESISTANCE

Elicia Vafaie, an attorney with the Asian Law Caucus, adds, "We see it as a Muslim ban 2.0."

"What you continue to see throughout this order is an equation of an entire nationality or an entire citizenship as a security concern, which is just a false correlation," said Vafaie.

- Bay Area Immigrant Right Groups Vow To Fight President Trump's Revised Travel Ban, ABC News



LITIGATION CHALLENGING MUSLIM BAN

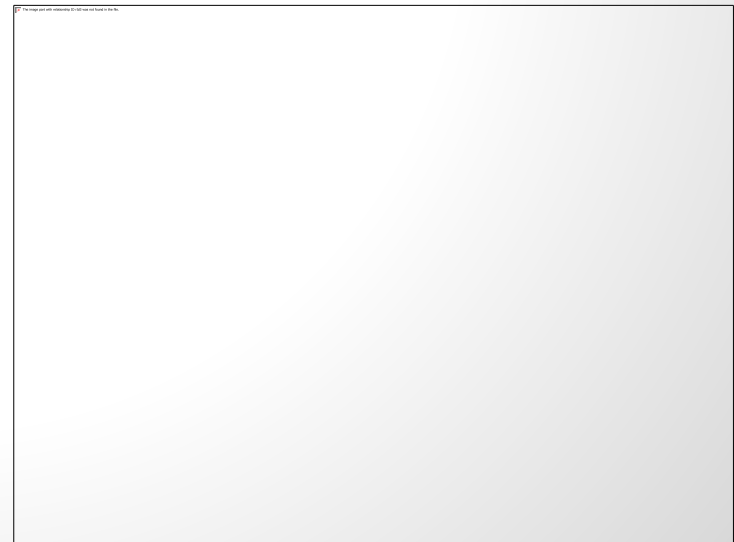
LAWSUITS

First Muslim Ban signed January 27

- **Brooklyn (*Darweesh v. Trump*) & Maryland (*IRAP v. Trump*)**
 - Filed by NILC and other legal orgs
- **Boston**
- **Alexandria, VA**
- **Washington, California, others**

Muslim Ban 2.0 signed February 6

- **At least some of the cases will continue**

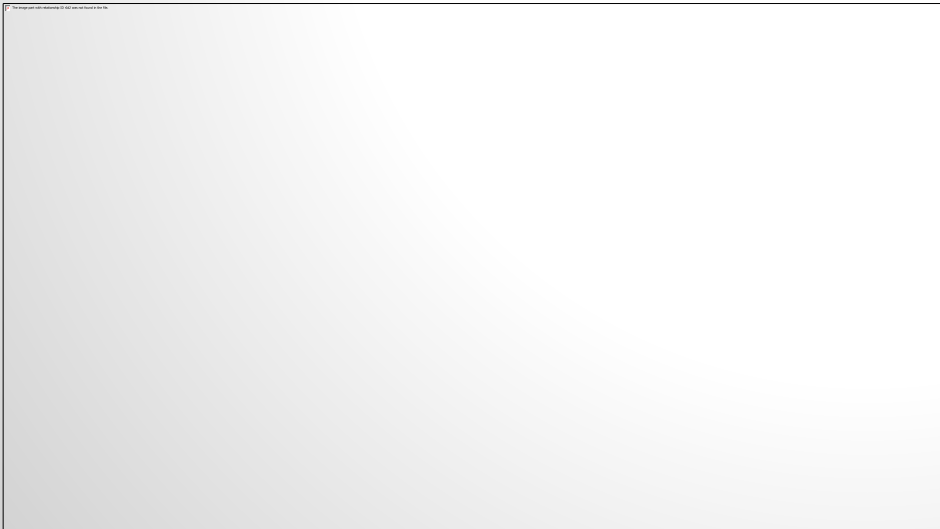


OVERVIEW OF IMMIGRATION ENFORCEMENT

WHAT'S GOING ON?

People who shouldn't be priorities for immigration enforcement are more frequently being detained, and in some cases deported.

There's the case of Guadalupe Garcia de Rayos who went in for her immigration check-in



EXECUTIVE ORDERS & MEMOS ON THE BORDER AND INTERIOR ENFORCEMENT

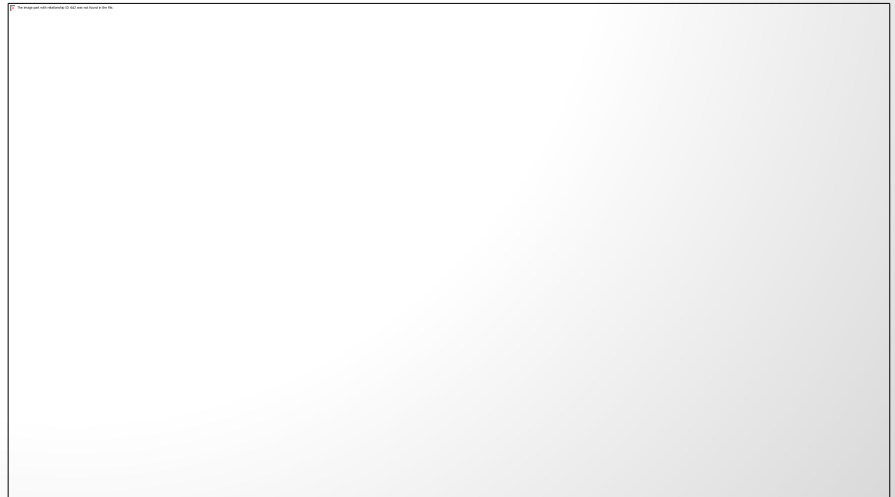
- **More broadening of who ICE can target**
- **Construction of the border**
- **Reintroduction of Secure Communities**
- **Promotion of 287(g)**
- **Attack on Sanctuary cities**
- **Punishment on family reunification**

DANIEL RAMIREZ MEDINA

- Had deferred action (DACA) when detained
- ICE agents were looking for his father and detained him in the process
 - Reasons included that he was in a gang because of a 'gang tattoo'
- Documents doctored by immigration officials
- Has had his DACA revoked
- Has a 3-year-old son

Today's his 24th birthday!

#FreeDaniel



DANIELA VARGAS



- **Was in the process of renewing her DACA**
- **Her house was raided by immigration, and she was scared ICE would come back for her**
- **She decided to courageously speak out at a press conference denouncing ICE's action!**
- **Was arrested by ICE as she was driving away**
- **Clear violation of her First Amendment Rights!**

#FreeDany

WHAT CAN YOU DO?

MigraWatch Hotline: 1-844-363-1423

Text “HERETOSTAY” to 877877 to keep informed

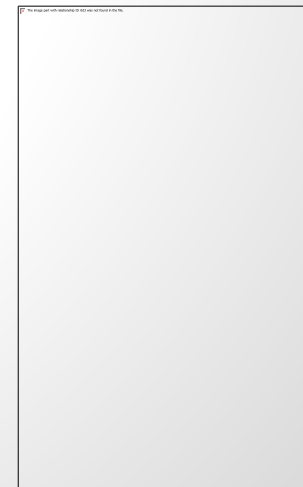
Allies: Show up when needed & Join our Here to Stay Network:

<https://actionnetwork.org/forms/immigrants-are-heretostay/>

DACA LAWSUIT

DANIELA VARGAS

- **Mississippi DACA recipient whose DACA had expired (renewal pending)**
- **2/15: ICE raided her home and arrested her father and brother**
- **2/15-3/1: Daniela spoke out criticizing ICE**
 - 3/1: ICE arrested her as she was leaving a press conference
- **ICE trying to deport her w/o a hearing**
- **3/6: Habeas petition filed**
 - Violation of her 1st & 5th amendment rights
 - Violation of Administrative Procedures Act



PUBLIC CHARGE & PUBLIC BENEFITS

DRAFT EXECUTIVE ORDER

- **Nothing has been signed and it is unclear if/when this will happen**
 - Be prepared with what you do know about public charge
 - What is clear: administration's priorities & the need to prepare
- **What can we do?**
 - We need your help documenting the harm through publiccharge@nilc.org
 - Help prepare your community with NILC community messages, coming soon

OTHER EXECUTIVE ORDER ISSUES

- **References to “abuse” of benefits programs in implementing memo is limited: only to misrepresentation**
- **The Privacy Act: Only part of the equation**
 - Largely restates the text of the statute, but calls on agencies to interpret it differently
 - In the benefits context, this is not the only statute: there are privacy protections within the different programs
- **See the NILC blog post on this:**
<https://www.nilc.org/news/the-torch/3-2-17>

QUESTIONS?

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